

REMARKS

In the Office Action dated November 23, 2003, the Examiner rejected Claim 10 under 35 U.S.C. § 112 for allegedly failing to particularly point out and distinctly claim the subject matter that the Applicant regards as his invention. The Examiner further rejected Claims¹ 1, 9, 10, 16, and 28 under 35 U.S.C. 103(a) as allegedly being unpatentable over Petite et al., U.S. Patent No. 6,437,692, ("Petite et al."), in view of Chou, U.S. Patent No. 6,327,533, ("Chou"). Still further, the Examiner rejected Claims 13, 15, and 21 under 35 U.S.C. 103(a) as allegedly unpatentable over Petite et al. in view of Chou, and in further view of Su, U.S. Pat No. 6,052,066 ("Su"). The Applicant respectfully traverses these rejection for the following reasons.

Claim Rejections – 35 U.S.C. § 112

The Examiner has specifically alleged that Claim 10 is directed to a sensing unit but that Claim 1, from which Claim 10 depends, refers to a system for processing information and not to a sensing unit. Claim 10 has been amended to recite a system for processing information. Therefore, the rejection is overcome and withdrawal thereof is respectfully requested.

Claim Rejections – 35 U.S.C. § 103

The Applicant thanks the Examiner for granting the telephonic interview in which the Applicant discussed its position as to why Petite et al. cannot support a *prima facie* case of obviousness and the commercial success of the claimed invention as argued in the Applicant's Amendment and Response dated February 20, 2004, which the Applicant incorporates by reference herein.

¹ The Examiner has rejected Claim 5 without explanation.

The result of the interview as indicated in the telephonic interview summary was that the Examiner suggested making some changes to the claim limitations to specify the definition of service provider. The Applicant has done just that.

The Applicant has amended the claims to recite "professional" service providers and "professional" services. The Applicant respectfully submits that *Petite et al.* cannot support a rejection under 35 U.S.C. § 103 since neither *Petite et al.* or *Chou*, alone or in combination contain a teaching, suggestion, or incentive to select the claimed elements, and to combine them to arrive at the claimed invention with any reasonable expectation of success-specifically "professional" service providers. *See Northern Telecom, Inc. v. Datapoint Corp.*, 908 F.2d 931 (Fed. Cir. 1990). Indeed, *Petite et al.* does not disclose professional services at all. Further, *Su* does not ameliorate the deficiencies of the *Petite et al./ Chou* combination of references. Thus, the Applicant respectfully submits that a *prima facie* case of obviousness cannot exist in light of the newly amended claims, which recite "professional" services and service providers.

Although the Applicant submits that a *prima facie* case of obviousness does not exist in light of the newly amended claims, the Applicant has submitted evidence that would rebut a *prima facie* case of obviousness. In this regard, the Examiner is respectfully referred to Applicant's Amendment and Response of February 20, 2004.

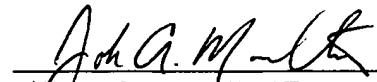
Accordingly, the Applicant respectfully submits that the rejection of Claims 1, 5², 9, 10, 13, 15, 16, 21, and 28, 35 U.S.C. 103(a) with respect to Claims 1, 9, 10, 16, and 28. Withdrawal thereof is therefore respectfully requested.

² In the Final Office Action dated November 25, 2003, the Examiner has not stated a reason for the rejection of Claim 5. Nevertheless, the applicant submits that in light of the newly amended claims, Claim 5 is in condition for allowance.

The Applicant respectfully submits that the application is in condition for allowance.

Respectfully submitted,

By


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